

ORIGINAL

BEFORE THE ARIZONA CORPORATION

COMMISSIONERS

GARY PIERCE, Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

2012 AUG 29 A 9:39

AZ CORP COMMISSION
DOCKET CONTROL



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Arizona Corporation Commission

DOCKETED

AUG 29 2012

DOCKETED BY

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In the matter of:

Richard M. Schmerman, (CRD# 1302988)
individually and d/b/a Diversified Financial
and/or Diversified Financial Planners, and Amy
Schmerman, husband and wife;

Respondents.

DOCKET NO. S-20757A-10-0373

**MOTION TO WITHDRAW AND
MOTION TO CONTINUE**

Alan Baskin and Bade Baskin Richards move to withdraw as counsel for Respondents Richard M. Schmerman ("Mr. Schmerman"), Diversified Financial and/or Diversified Financial Planners ("Diversified") and Amy Schmerman ("Ms. Schmerman") (collectively "Respondents") and also ask that the hearing date be continued.

This matter is set for hearing on September 10, 2012. The parties have unsuccessfully attempted to negotiate a Consent. The parties are in agreement regarding nearly all the settlement terms, but the Schmermans have been unable to complete their due diligence process regarding the Consent, and are presently unable to sign it. The Schmermans wish to resolve this matter, but cannot provide a precise estimate as when their diligence will be completed.

In addition, the Schmermans' counsel moves to withdraw. An explanation of the reasons for seeking to withdraw would violate the attorney-client privilege. Counsel, however, remains optimistic that the Schmermans can resolve this matter if they have additional time to consider the most recent version of the Consent that has been presented to them. The Schmermans request a 60-day continuance.

BADE BASKIN RICHARDS PLC
80 EAST RIO SALADO PARKWAY
SUITE 511
TEMPE, ARIZONA 85281
TELEPHONE NO 480-968-1225
FACSIMILE 480-968-6255


1 The Schmermans' address is as follows:

2 Richard & Amy Schmerman
3 2613 E. Mitchell Dr.
4 Phoenix, AZ 85016

5 The Schmermans have been advised of this motion and are aware of the existing hearing
6 date. This motion has been filed in good faith and not for purposes of delay.

7 RESPECTFULLY SUBMITTED this 31st day of August, 2012.

8 BADE BASKIN RICHARDS PLC

9
10 By 
11 Alan S. Baskin
12 80 East Rio Salado Parkway, Suite 511
13 Tempe, Arizona 85281
14 Attorneys for Respondents

15
16 ORIGINAL and thirteen copies of the foregoing
17 filed this 31st day of August, 2012 with:

18 Docket Control
19 Arizona Corporation Commission
20 1200 West Washington Street
21 Phoenix, AZ 85007

22 COPY of the foregoing hand-delivered
23 this 31st day of August, 2012 to:

24 Hearing Officer
25 Hearing Division
26 Arizona Corporation Commission
27 1200 W. Washington Street
Phoenix, AZ 85007

BADE BASKIN RICHARDS PLC
80 EAST RIO SALADO PARKWAY
SUITE 511
TEMPE, ARIZONA 85281
TELEPHONE NO 480-968-1225
FACSIMILE 480-968-6255

1 COPY of the foregoing mailed
this 2nd day of August, 2012 to:

2 Paul Huynh
3 Securities Division
4 Arizona Corporation Commission
5 1300 W. Washington, 3rd Floor
6 Phoenix, AZ 85007

7 Richard & Amy Schmerman
8 2613 E. Mitchell Dr.
9 Phoenix, AZ 85016

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